

Case No. 3:21-cv-03129-N

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS**

In re: HIGHLAND CAPITAL MANAGEMENT, L.P.,

Reorganized Debtor.

THE CHARITABLE DAF FUND, L.P. and CLO HOLDCO, LTD.,

Appellants,

v.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Appellee.

On Appeal from the United States Bankruptcy Court for the
Northern District of Texas, Dallas Division, Case No. 19-34054-sgj11
Hon. Stacey G. C. Jernigan

APPENDIX IN SUPPORT OF APPELLEE'S BRIEF

PACHULSKI STANG ZIEHL & JONES LLP
Jeffrey N. Pomerantz (CA Bar No. 143717)
John A. Morris (NY Bar No. 266326)
Gregory V. Demo (NY Bar No. 5371992)
Jordan A. Kroop (NY Bar No. 2680882)
10100 Santa Monica Blvd., 13th Floor
Los Angeles, CA 90067
Telephone: (310) 277-6910
Facsimile: (310) 201-0760

HAYWARD PLLC
Melissa S. Hayward (Texas Bar No. 24044908)
Zachery Z. Annable (Texas Bar No. 24053075)
10501 N. Central Expy, Ste. 106
Dallas, Texas 75231
Telephone: (972) 755-7100
Facsimile: (972) 755-7110

Counsel for Highland Capital Management, L.P.

<u>Ex.</u>	<u>Description</u>	<u>ROA #</u>
1.	<i>Order Denying Motion to Stay</i> , Adv. Proc. No. 21-3067, D.I. 81 (Bankr. N.D. Tex. December 7, 2021)	4-5
2.	<i>Original Complaint</i> , Adv. Proc. No. 21-3067, D.I. 1-1 (Bankr. N.D. Tex. September 29, 2021)	480-505
3.	<i>Plaintiffs' Motion to Stay All Proceedings</i> , Adv. Proc. No. 21-3067, D.I. 55 (Bankr. N.D. Tex. September 29, 2021)	516-521
4.	<i>Notice of Hearing</i> re: 1) Plaintiffs' Motion to Stay All Proceedings; 2) Motion to Strike Reply Appendix; and 3) Defendant Highland Capital Management, L.P.'s Motion to Dismiss Complaint, Adv. Proc. No. 21-3067, D.I. 66 (Bankr. N.D. Tex. October 19, 2021)	532-536
5.	<i>Plaintiffs' Amended Motion to Stay All Proceedings</i> , Adv. Proc. No. 21-3067, D.I. 69 (Bankr. N.D. Tex. November 18, 2021)	537-543
6.	<i>Motion to Withdraw Reference and Brief in Support</i> , Adv. Proc. No. 21-3067, D.I. 69-1 (Bankr. N.D. Tex. November 18, 2021)	545-557
7.	<i>Notice of Occurrence of Effective Date of Confirmed Fifth Amended Plan of Reorganization of Highland Capital Management, L.P.</i> , Adv. Proc. No. 21-3067, D.I. 70-2 (Bankr. N.D. Tex. November 22, 2021)	1769-1772
8.	<i>Order of Reference</i> , Adv. Proc. No. 21-3067, D.I. 70-2 (Bankr. N.D. Tex. November 22, 2021)	1837
9.	<i>Plaintiffs' Response to Defendant Highland Capital Management, L.P.'s Motion for an Order to Enforce the Order of Reference</i> , Adv. Proc. No. 21-3067, D.I. 70-2 (Bankr. N.D. Tex. November 22, 2021)	1839-1864
10.	<i>Order (I) Confirming the Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified) and (II) Granting Related Relief</i> , Adv. Proc. No. 21-3067, D.I. 73-3 (Bankr. N.D. Tex. November 22, 2021)	1898-1987
11.	<i>Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)</i> , Adv. Proc. No. 21-3067, D.I. 73-3 (Bankr. N.D. Tex. November 22, 2021)	1989-2053
12.	Transcript of Hearing on Plaintiffs' Motion to Stay All Proceedings (55); Plaintiffs' Motion to Strike Reply Appendix (47); and Defendants' Motion to Dismiss Complaint (26)	2059-2162
13.	<i>Fifth Amended Plan of Reorganization of Highland Capital Management, L.P. (as Modified)</i> , Case No. 19-34054-sgj, D.I. 1808 (Bankr. N.D. Tex. Jan. 22, 2021)	2345-2410

Dated: May 23, 2022.

PACHULSKI STANG ZIEHL & JONES LLP

Jeffrey N. Pomerantz (CA Bar No. 143717)

John A. Morris (NY Bar No. 266326)

Gregory V. Demo (NY Bar No. 5371992)

Jordan A. Kroop (NY Bar No. 2680882)

10100 Santa Monica Blvd., 13th Floor

Los Angeles, CA 90067

Telephone: (310) 277-6910

Facsimile: (310) 201-0760

Email: jpomerantz@pszjlaw.com

jmorris@pszjlaw.com

gdemo@pszjlaw.com

jkroop@pszjlaw.com

-and-

HAYWARD PLLC

/s/ Zachery Z. Annable

Melissa S. Hayward

Texas Bar No. 24044908

MHayward@HaywardFirm.com

Zachery Z. Annable

Texas Bar No. 24053075

ZAnnable@HaywardFirm.com

10501 N. Central Expy, Ste. 106

Dallas, Texas 75231

Tel: (972) 755-7100

Fax: (972) 755-7110

Counsel for Highland Capital Management, L.P.

CERTIFICATE OF SERVICE

I hereby certify that, on May 23, 2022, a true and correct copy of the foregoing appendix was served electronically upon all parties registered to receive electronic notice in this case via the Court's CM/ECF system.

/s/ Zachery Z. Annable

Zachery Z. Annable